

JAN 21 2010

Clerk of Court

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

United States District Court  
Southern District of Texas  
FILED

JAN 21 2010

Clerk of Court

UNITED STATES OF AMERICA

§

VS

§

CRIMINAL NO. B-09-1166

Angel Montoya-Avila

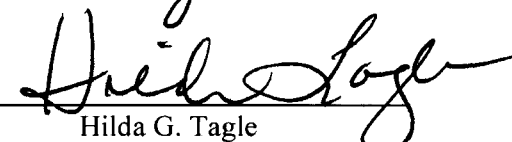
§

**ORDER**

BE IT REMEMBERED on this 21 day of January, 2010, the Court reviewed the file in the above-captioned matter and specifically the Report and Recommendation of the United States Magistrate Judge filed **October 01, 2009**, wherein the defendant **Angel Montoya-Avila** waived appearance before this Court and appeared before the United States Magistrate Judge **Ronald G. Morgan** for the taking of a felony guilty plea and Federal Rule of Criminal Procedure Rule 11 Allocution. The magistrate judge recommends that the plea of guilty be accepted by the undersigned, and noting no opposition by defendant **Angel Montoya-Avila** to the Report and Recommendation, the Court enters the following order:

IT IS ORDERED that the Report and Recommendation of the United States Magistrate Judge be and is hereby adopted. The Court finds the Defendant **Angel Montoya-Avila** guilty of the offense of alien unlawfully found in the United States after deportation, in violation of 8 U.S.C. § 1326(a).

SIGNED this the 21 day of January, 2010.

  
Hilda G. Tagle  
United States District Judge